UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

LEIA MONTGOMERY AND KRISTEN
MEGHAN KELLY,

    Plaintiffs,

v.   No. 4:21-cv-1052-P

DELTA AIRLINES, INC,

    Defendant.

ORDER

Plaintiffs Leia Montgomery and Kristen Meghan Kelly (collectively, "Plaintiffs") filed this civil suit against Delta Air Lines, Inc. ("Delta") on September 14, 2021, in the Fort Worth Division of the Northern District of Texas. ECF No. 1. According to Plaintiffs' Complaint, one Plaintiff lives in Dallas, Texas while the other Plaintiff lives in Hudsonville, Michigan. *Id.* at 1, ¶¶ 1–2. The Court's review of the Complaint and docket entries, however, reveals that there is no connection between the instant dispute and the Fort Worth Division.[1]
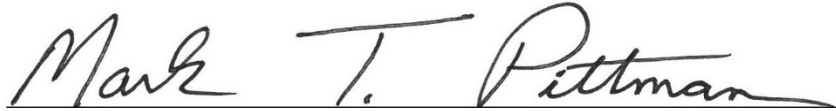
Accordingly, the Court *sua sponte* **ORDERS** that this civil action be **TRANSFERRED** to the Dallas Division of the Northern District of Texas. *See* 28 U.S.C. § 1406(a) ("The district court of a district in which is filed a case laying venue in the wrong division . . . shall . . . transfer such case to any district or division in which it could have been brought."); *see also Caldwell v. Palmetto State Sav. Bank of S.C.*, 811

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[1]To put it mildly, the Court is perplexed by Plaintiffs' choice of venue. Delta is a Delaware corporation headquartered in Atlanta, Georgia. The Complaint fails to allege any action or injury that occurred in the Fort Worth Division. And the only person that appears to be properly situated in the Fort Worth Division is Plaintiffs' counsel—and he is not a Party to the instant dispute. Thus, to pinpoint the locations of the Parties is to pinpoint the source of the Court's confusion: Under what theory could the Fort Worth Division ever be considered the proper venue for these *Parties* and these alleged facts?

F.2d 916, 919 (5th Cir. 1987) ("Under the transfer statute, a district court may transfer a case upon a motion or *sua sponte*.").

SO ORDERED on this **2nd day** of **November, 2021.**

Mark T. Pittman
UNITED STATES DISTRICT JUDGE